

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

KRISTEN MANTIKAS, KRISTIN BURNS, and
LINDA CASTLE, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

KELLOGG COMPANY,

Defendant.

Case No. 2:16-cv-02552-SJF-AYS

Hon. Sandra J. Feuerstein

**NOTICE OF MOTION AND
MOTION TO DISMISS CLASS
ACTION COMPLAINT PURSUANT
TO RULE 12(b)(6)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law submitted herewith, the undersigned attorneys for Defendant Kellogg Company (“Kellogg”) shall move this Court, before the Honorable Sandra J. Feuerstein, United States District Court Judge for the Eastern District of New York, at the Long Island Courthouse located at 100 Federal Plaza, Central Islip, NY 11722, for an Order dismissing the Class Action Complaint of Plaintiffs Kristen Mantikas, Kristin Burns, and Linda Castle (collectively, “Plaintiffs”) pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, on the ground that the Complaint fails to state a claim upon which relief can be granted.

Dated: August 5, 2016

Respectfully submitted,

JENNER & BLOCK LLP

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